

REMARKS

Applicants herein amend the specification and claims, and request reconsideration of the newly amended specification and claims in light of the comments below. Claims 1,4, 6, 7, 11 and 14 have been amended in order to more clearly define and point out that which the inventors regard as their invention. None of the foregoing amendments add substantive matter to the original specification, and are requested mainly for purposes of distinguishing the applicants' invention from the cited prior art.

REJECTION UNDER 35 U.S.C. §103(a)

In the Office Action dated July 26, 2003, the Examiner rejected Claims 1-15 under 35 U.S.C. §103(a) as being obvious in view of Stanislawski, et al (U.S. Pat. No. 5,183,655). The Examiner asserted that Stanislawski teaches a liquid dispersion for deodorizing animal waste comprising a borate based compound, water, solvent, surfactant and certain polymers. Although, Stanislawski does teach that super-absorbent polymers may be used in his composition, these super-absorbent polymers used by Stanislawski are not water soluble/dispersible polymers according to applicants' claimed invention. Secondly, Stanislawski teaches that adjuncts such as water-soluble polymeric resins may be added to the composition, but he does not teach the addition of the specific amount, 0.1-3% water soluble/ dispersible polymer, as claimed by the applicants'. Therefore the present claims are not rendered obvious by Stanislawski because he does not teach the specific amount water soluble/dispersible polymer required by the claimed invention.

In addition, it is important to note that the critical components of the composition Stanislawski teaches are an effective amount of pine oil and boric acid. On the other hand, the present invention does not require the use of pine oil therefore the present claims have been amended to highlight this difference between Stanislawski's composition and applicants' invention. In the present claims, the claim preamble language of independent claims 1,6,7 and 11 has been changed from "comprising" to "consisting essentially of." This particular limitation is quite important since it means the claimed cleaner will effectively avoid art which materially changes or deleteriously affects the claimed invention. *See, In re Janakirama-Rao*, 137 U.S.P.Q. 893 (CCPA 1963); *In re Hertz et al.*, 190 U.S.P.Q. 461 (CCPA 1976). Specifically this means

that applicants' claimed invention does not contain the same essential components, such as pine oil, that are required to form Stanislawski's invention. The "consisting essentially of" language in the preamble of the claims makes applicant's invention is clearly distinguishable over Stanislawski.

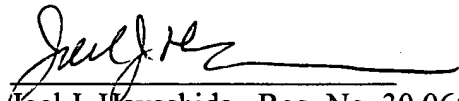
For the foregoing reasons, the present invention is not obvious in view of Stanislawski, and therefore the rejection under 35 U.S.C. §103 should be withdrawn. Withdrawal of this rejection and reconsideration of the pending claims as amended herein is therefore respectfully requested.

CONCLUSION

Applicants assert that the claims as herein amended are novel and neither anticipated nor obvious in view the cited art. Favorable consideration is therefore respectfully requested.

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Respectfully submitted,



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